


Cost of Rs. 5000/- received in Service Appeal No. 1184/2018  
Titled Syed Ali Dina vs EG SE  
in the office of Assistant Registrar, Vide Order 22/12/2023  
submitted on 24/01/2024.

  
24/01/24  
Assistant Registrar  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

**BEFORE THE HONOURABLE SERVICE TRIBUNAL**  
**KHYBERPAKHTUNKHWA PESHAWAR**

**SCANNED**  
**KPST**  
**Peshawar**

Service Appeal No. 1184/2018

Syed Ali Dina Ex-HM Harchin District Chitral VERSUS Secretary E&SE Department & Other

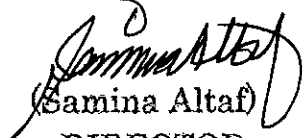
Khyber Pakhtunkhwa  
Service Tribunal

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Diary No. 10777  
Dated 25/1/24

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Dated. -01-2024

  
(Samina Altaf)  
DIRECTOR

E&SE Department Khyber  
Pakhtunkhwa, Peshawar.

Annex (D)

annex  
"B"

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## Inquiry Report

Subject: DISCIPLINARY PROCEEDINGS AGAINST MR. ALI DINA SHAH HEADMASTER (BS-17) GHS HARCHIN CHITRAL AND OTHERS

### Order of Inquiry

The Inquiry was assigned to us vide Elementary & Secondary Education Department (E&SED), Khyber Pakhtunkhwa Notification No. SO(SM)E&SED/4-33/2016/Mr. Ali Dina Shah & others District Chitral, dated 17<sup>th</sup> March 2017 (Annex-I) to probe into charge sheet/statement of allegations Annex-II, III & IV against the three accused namely Mr. Ali Dina Headmaster, Mr. Suhar Wardi SST (General) and Mr. Didar Ali Sweeper—all posted at GHS Harchin, Chitral at the time of complaint of alleged/attempted molestation.

### Background of the case

2. According to report of District Education Officer (DEO) (male) Chitral, report of Headmaster GHS Harchin Chitral, documents received from E&SED as well as information obtained during the proceedings the alleged unfortunate incidence of attempted molestation happened on 03-12-2015 when a female student namely Tahira Bibi D/O Shaheer Khan was on her way to Mayoon College, Harchin when she was suddenly intercepted by Mr. Didar Ali Son of Halawati sweeper GHS Harchin with the evil intention of molestation. However appearance of a person from other direction ended the episode and Ms. Tahira Bibi daughter of Shaheer Khan went to GHS Harchin where Didar Ali Son of Halawati was serving as a sweeper and complained to the headmaster of GHS Harchin Mr. Syed Ali Dina Shah and demanded action against the sweeper. Reportedly the Head Master Mr. Ali Dina and Mr. Suhar Wardi SST (G) respectively advised and instigated Ms. Tahira Bibi to lodge report with the police with the promise to extend all out support in the court of law. So, Tahira Bibi lodged complaint with police and the accused Mr. Didar Ali was arrested. Besides, Tahira Bibi D/O Shaheer Khan also submitted written complaint to the DEO(M) Chitral for action against Didar Ali Son of Halawati sweeper GHS Harchin. The DEO (M) Chitral

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transferred the accused Didar Ali Son of Halawati sweeper GHS Harchin to another school away from Harchin. However dissatisfied with the action taken against the accused, Ms. Tahira Bibi D/O Shaheer Khan came to GHS Harchin on 05.08.2016 with the protest that justice had not been done to her and asked Headmaster to terminate Didar Ali sweeper GHS Harchin. She reportedly reminded the Headmaster and Mr. Suhar Wardi of their promise of support and raged that she was left out in cold in litigation and they did not even go for statement as witness. Reportedly Tahira Bibi stayed back in GHS Harchin till the closing time where she reportedly committed suicide by eating poison.

Distt. Officer  
(Upper Dir) GHS Harchin

3. After the reported incidence of suicide, DEO (Male) Chitral constituted an inquiry committee comprising of Mr. Ahmad Ghazi Head Master GHS Sonoghore and Syed Alim Shah I/C Head Master GHS Mastuj to probe into the matter and submit a detail inquiry report along with suggestions. The committee conducted the inquiry and submitted report which declared the Head Master Mr. Ali Dina Shah as irresponsible person for not handling the situation properly and proposed him to be put on the disposal of Directorate. The inquiry report also held Suhar Wardi responsible of instigating Ms. Tahira Bibi D/O Shaheer Khan; however nothing has been suggested against him in the inquiry report.

4. E&SED Khyber Pakhtunkhwa nominated DEO (M) Upper Dir as Inquiry Officer who also probed the unfortunate incident and submitted the findings (Annex-V), a gist of which is as follows:

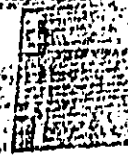
a) According to the police station record the police got information about the death of Ms. Tahira Bibi D/O Shaheer Khan and on reaching the incident place the mother of Ms. Tahira Bibi came and reported to the police that a criminal case was pending in the court of law due to complaint of her daughter against Mr. Didar Ali Son of Halawati sweeper GHS Harchin. Because of that case her daughter i.e. Ms. Tahira Bibi D/O Shaheer Khan was in intense grief which caused her to take poison and commit suicide. She held Mr. Didar Ali Son of Halawati sweeper GHS Harchin responsible for the death of her daughter.

b) According to the reply/ statement of the Head Master, on 03.12.2015 Ms. Tahira Bibi complained against the Sweeper GHS Harchin, Mr. Didar Ali Son of

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Haluwati. The headmaster was aware of lodging of report to police however clarified that he was not a witness in the FIR of Ms. Tahira Bibi against Didar Ali but the name of Suhar Wardi SST (G) was present as a witness in the FIR. With regard to suicide, he stated that on 05.00.2016 Ms. Tahira Bibi came to school and wanted termination of Didar Ali Son of Halawat from service as a punishment for his alleged attempt on her honour. He said that he was not aware of taking poison by Ms. Tahira Bibi as after closing hours, he had gone home. He was informed by Lal Khan Class-IV about the eating of poison by Ms. Tahira Bibi. When he returned to school the doctor had come for the treatment of Ms. Tahira Bibi who had come on the call of teachers residing in the school. The headmaster also alleged that some of his opponents were trying to use the incident as a tool to malign him falsely. However, some of the villagers held him along with Suhar Wardi SST (G) responsible for instigating the deceased for lodging FIR which later on led to tension into her suicide.

12/01/2016  
District School Officer  
(Male) Chitral

- c) The factual position is that Ms. Tahira Bibi D/O Shaheer Khan has caused her death by eating poison. She has done this in the school on the date on which the head master was present in the school.
- d) The Head Master has shown negligence on his part while not taking the case seriously. Though alleged molestation attempt happened outside his school, being a human being he cannot absolve himself of the onus to take Mst. Tahira Bibi to home on the day before the suicide. Circumstantial evidences show that Mr. Suhar Wardi SST (G) might have instigated Ms. Tahira Bibi for lodging FIR. As far as the accused Chowkidar is concerned, he is under arrest and the court can decide better. Both M/S Ali Dina Shah, Head Master and Suhar Wardi SST (G) GHS Harchin Chitral may be proceeded under E&D Rules 2011 for the charges of inefficiency.

### Methodology

5. In follow up to the Notification and communication of Charge Sheets and Statement of Allegations to all the accused by the E&SED, the charge sheet and statement of allegation were again sent to all the accused with the direction to ensure timely reply to the charges within stipulated time. Mr. Ali Dina and Mr. Suhar Wardi submitted their written replies whereas Mr. Didar Ali did not submit any written reply. All the accused, DEO Male Chitral, Departmental representative and relevant employees of GHS Harchin were called and their statements recorded. Questions were asked and answers obtained from the parties. All the relevant record obtained from E&SED and DEO Chitral and defense offered by the accused was perused. Hearing was

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District Education Officer  
(Male) Chitral

held thrice, in the presence of both the accused and the departmental representative. In order to provide fair chance of defense to the parties and maintain impartiality, the accused and the departmental representative were allowed to cross question each other regarding veracity of written record as well as statements submitted or recorded during the proceedings.

6. Details of proceedings of the inquiry held/recorded and conclusions drawn unanimously by us are as follows:

G.1. Inquiry in respect of Mr. Ali Dina

6.1.1 Following are the allegation against the accused Mr. Ali Dina, Headmaster GHS Harchin Chitral.

*"On 05-08-2016 Mst. Tahira Bibi D/O Shaheer Khan protested before you in your office for no action against Didar Ali, Sweeper of your school, who had sexually harassed her and she took poison and died in your office after the school had gone off but you failed to handle the situation"*

6.1.2 Written statement of accused Mr. Ali Dina is placed at Annex-VI through which he has tried to prove himself innocent stating that the complainant was neither a student nor staffer of his school; the alleged attempt on her honor did not take place in the school, alleged attempt of the accused Didar Ali was his private action. After the occurrence he tried to console the complainant Ms Tahira Bibi D/O Shaheer Khan and on the day of suicide too, he tried his best to send the girl back peacefully. Copy of the attendance register provided by the Headmaster (Annex-VII) indicates that Mr. Didar Ali was absent on the day of attempted molestation i.e. 03-12-2015. Immediately on receipt of complaint he took actions like informing DEO (Male) Chitral and calling meeting of PTC which resulted in transfer of the accused Didar Ali Sweeper to DEO office.

6.1.3 View point of other teachers: Mr. Hidayatullah Senior A.T GHS Harchin states that Mr. Didar Ali was absent on 3-12-2015; around 9.00 O'clock the complainant Ms Tahir Bibi came and complained against Mr. Didar Ali whereupon she was advised by the Headmaster to consult her parents and senior relatives to resolve the matter. She however, proceeded to police post and Mr. Didar Ali was arrested at about 1200 noon outside the school vicinity. The Headmaster called PTC meeting on

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K. S. B. Khan

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12<sup>th</sup> December 2015 and in follow up to meeting resolution, called explanation from Mr. Didar Ali for being absent from the school on 3/12/2015. According to Mr. Sher Fraz, SST GHS Harchin, the complainant, Ms Tahira D/O Shaheer Khan was present in the school on 5-08-2016 at 11:30 am and Headmaster and Mr. Suhar Wardi had left the school. The complainant informed that she had eaten poison to protest against non provision of justice; when she was feeling ill, she along with few other resident teachers went to fetch doctor. The doctor came and started treatment while he along with other teachers went to bring police. On return they found her dead though doctors tried to save her life. An almost similar statement has been given by Mr. Biffatuddin, SST, GHS Harchin

District Education Officer  
Tahar, Lower Chitral

6.1.4 Statement of Mr. Lal Khan, Laboratory Attendant GHS Harchin: He stated that on both the occasions i.e. on 3-12-2015 and on 05-08-2016, both Mr. Ali Dina Headmaster and Mr. Suhar Wardi SST were present in the school when the deceased Ms Tahira Bibi visited the school; firstly for complaining against Didar Ali and secondly for lodging protest for non provision of justice to her. On 05-08-2016 they left the school at least 10-15 minutes before prescribed closing hours i.e. in the middle of crisis when the deceased was protesting for non provision of justice.

6.1.5 Statement of Qayyum Shah S/O Jehan Shah, brother in law of the deceased Tahira Bibi D/O Shaheer Khan. He informed that the accused Didar Ali did attack the girl with evil intentions but could not succeed because of appearance of a person from other direction. He further informed that the three accused namely Ali Dina Shah, Mr. Suhar Wardi and Mr. Didar Ali are relatives and rivals to each other because all three have claims on the land on which the school was built, so they wanted to use the incident against each other. That is why efforts for compromise between the father of the accused Didar Ali and the deceased Tahira's mother were sabotaged by them. If they were true helpers, they would have suggested to the deceased to lodge complaint, with her college administration rather than with Police. He held both Ali Dina the headmaster and Mr. Suhar Wardi the SST responsible for mishandling the situation. According to him, families of all the parties (the three accused persons and that of the deceased) belong to same sect and school of thought and have distant kinship as well.

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conclusions drawn in other inquiries already conducted in the matter: (excerpts from Inquiry report of DEO Male Upper Dir Annex-V and report of DEO Male Chitral.....Annex- VIII)

- 20
- i) Inquiry committee comprising of Mr. Alimad Ghazi HM GHS Sonoghore and Syed Alim Shah I/C IIM GHS Mastuj concluded that Headmaster Mr. Syed Ali Dina is an irresponsible person for he failed in handling the situation properly and recommended him to be put on disposal of Directorate.
- ii) Inquiry report conducted by DEO (Male) Dir Upper concluded that Headmaster has shown negligence on his part while taking the case not serious. If he is true to the extent that the molestation act was outside the school, then being a human-being he cannot absolve himself of the onus to take Ms Tahira Bibi to home on the day before the suicide.
- iii) Report submitted by DEO (Male) Chitral to Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar indicates that gross negligence and carelessness have been committed by the Headmaster by letting the girl alone in the premises and mishandling the situation. He has shown grave incompetence and irresponsibility to let the incident happen.

## 6.2 Finding

Perusal of record, previous inquiries and the statements recorded during the proceedings indicate that the Headmaster turned a blind eye to the gravity of the matter right from the day of first complaint to him till the occurrence of the suicide. Even on the day of sad occurrence of suicide, the headmaster left the school in the middle of crisis before closing hours. We are therefore, of the opinion that the Headmaster is guilty of negligence of his duty because of adopting non serious attitude towards his administrative and managerial duties and lack of efficiency and leadership which led to his failure to handle the situation effectively.

## 6.3 Inquiry in respect of Mr. Suhar Wardi

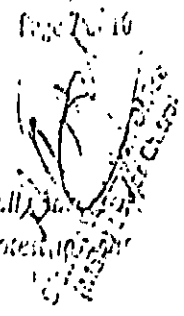
6.3.1 Following are the allegation against the accused Mr. Suhar Wardi, SST (General) GHS Harchin Chitral.

Approved  
Answer

Mr

Signature





"You misled Mst Tahira Bibi D/O Shaher Khan who had been sexually abused by Didar Ali, Sweeper of GHS Harchin and she took poison as a protest against the school and died"

6.3.2 Written statement of Mr. Suhar Wardi is placed at Annex-IX. He is of the view that on 3<sup>rd</sup> December 2015 he was serving in GHS Harchin as Senior CT, BPS-15 when Mr. Didar Ali Sweeper of the school was charged under criminal allegations with respect to cheating with Mst Tahira in his personal capacity. The occurrence reported to be happened out of school; neither the occurrence nor the complainant had any relation with him or the school. When she complained against the accused Didar Ali, the Headmaster took action reported to the DEO and local police also booked the accused Didar Ali under Section 506/354 PPC at Police Station Mastuj, Chitral. He further stated that I.O of the case put his name in the witness list only to testify the complaint which he did as his personal responsibility. The accused remained behind the bars for about fifteen days and on release, transferred from GHS Harchin. On 05-08-2016 i.e. the day of suicide, Ms Tahira Bibi suddenly came and demanded termination of Didar Ali Sweeper. The Headmaster and other teachers tried their best to pacify the complainant about the departmental and judicial proceedings against the accused Didar Ali, so she left satisfied. It was Friday so after closing hours at local teachers, (including Suhar Wardi local teacher) and formal students left and Informal students of Allama Iqbal Open University started arriving for workshop. Therefore he knows nothing about return of complainant to school in their absence, in poisoned condition and subsequent suicide. Therefore he did not mislead the complainant.

6.3.3 View point of other teachers: statements of other teachers noted at 6.1.3 above indicate that Mr. Suhar Wardi was present in the school on both occasions i.e. on the day of first complaint on 3<sup>rd</sup> December, 2015 and on the day of suicide on 05-08-2016. Moreover, on 05-08-2016 he left the school almost 10-15 minutes before closing hours.

6.3.4 View point of Mr. Lal Khan, Laboratory Attendant GHS Harchin: He stated that on 05-08-2016, both Mr. Ali Dina Headmaster and Mr. Suhar Wardi were present in the school. They had left school at least 10-15 minutes before prescribed closing hours. Mr. Lal Khan did not give any clue as to instigation of the complainant by Mr Suhar Wardi.

6.3.5 View point of previous inquiries about the accused:

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District Sessions Officer  
(Male) Upper Chitral

- i) Inquiry committee comprising of Ahmad Ghazi Headmaster GHS Sonoghore and Syed Alim Shah I/C Headmaster GHS Mastuj held Suhar Wardi responsible to the extent of catalyzing the situation by instigating the complainant Ms Tahira Bibi D/O Shaheer Khan; by then he has been transferred to Soriaspur; the inquiry suggested nothing more against him.
- ii) Inquiry report conducted by DEO (Male) Dir Upper, concluded that circumstantial evidence show that he might have instigated the complainant Ms Tahira Bibi.
- iii) Report submitted by DEO (Male) Chitral to Director E&SE Khyber Pakhtunkhwa indicates that Mr. Suhar Wardi was transferred to GHS Arkari to neutralize situation arising as a result of public resentment who demanded immediate transfer of Mr. Ali Dina and Mr. Suhar Wardi (as reported by SHO Mastuj).

#### 6.4 Findings

The conclusion drawn by previous two inquiries noted above states that circumstantial evidence might suggest that he instigated the girl to lodge FIR with police because his name has been associated with the story from the very first complaint of molestation by Ms Tahira against Didar Ali, he figures in the list of witness in the court of law and subsequently under mounting pressure of public resentment he was also transferred from GHS Harchin to pacify the people of the area. So he appears to have a finger in the pie. Therefore, we agree with the conclusion drawn by the previous two inquiries that circumstantial evidences suggest that he might have instigated the deceased Tahira Bibi to lodge complaint with the police.

#### 6.5 Inquiry in respect of Mr. Didar Ali Sweeper

6.5.1 Following are the allegations against the accused Mr. Didar Ali, Sweeper GHS Harchin Chitral:

*"You sexually harassed Msc. Tahira Bibi, D/O Shaheer Khan on 03-12-2015 when she was on the way to her college. On 05-08-2016 the affectee came to GHS Harchin to protest for no action against you and took poison and died"*

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6.5.2 Statement of the accused: The accused Mr. Didar Ali did not submit a statement. He told the inquiry committee that he could speak only in Pashto language. Therefore, services of a Chitrali resident government servant were utilized for investigation from the accused and recording his statement. During hearing Mr. Didar Ali told that he knew the deceased Ms Tahira Bibi who was present in the school on the day of occurrence of attempted act of terrorism. He stated that he spent the preceding night at school and after serving the duties to resident teachers, left the school in the morning. He did not meet anyone on the way nor knew anything about the happening; however towards evening he was summoned by police of nearby police post. He went to the police post with the impression of being summoned for some errands—a routine matter as he visited the post quite often in his private capacity. It however came to his attention on him after reaching the police post that he was summoned in connection with a complaint of Ms Tahira Bibi. He was then taken into custody and kept at the District Police Station. Court trial started and he remained behind bars for fifteen days whereafter he was released on bail. He told that he had a personal score with Suhar Wardi. It could be gathered from his talks that the three accused wanted to settle personal scores among themselves by playing the incident against each other.

6.5.3 Statement of Qayyum Shah, brother in law of the deceased Ms Tahira Bibi: His statement has already been reflected, as noted above at para-6.1.5.

6.5.4 View point of co-accused Mr. Syed Ali Dian: He was of the opinion that the accused Didar Ali is not a good government servant, he absents himself from duty frequently. The headmaster also provided copy of the attendance register which indicates that Mr. Didar Ali was absent on the day of attempted murder of Ms Tahira Bibi on 3<sup>rd</sup> December 2015 till the end of the month i.e. 31<sup>st</sup> December, 2015.

6.5.5 View point of co-accused Mr. Suhar Wardi: He was of the opinion that the accused, Mr. Didar Ali Sweeper was an addicted man of bad character.

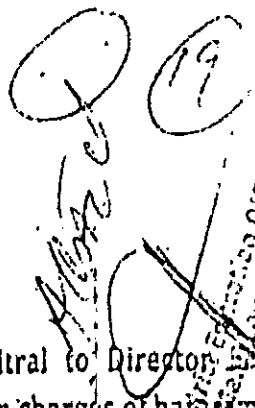
6.5.6 View point of Mr. Qari Usman, TT GHS Harchin: He opined that the accused Didar Ali was an average performer of official duty.

6.5.7 View point of Mr. Lal Khan, Laboratory Attendant GHS Harchin: He was of the opinion that the accused Mr. Didar Ali, the then Sweeper frequently deserted his duty; did not take least interest in official duty. The headmaster could never take appropriate action against him.

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6.5.9

  
 Director, Education Officer  
 Upper Chitral

6.5.8 View point of previous inquiries

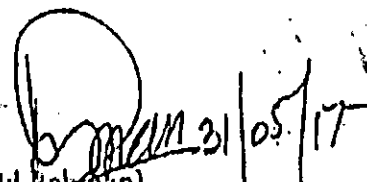
- i) Report submitted by DEO(Male) Chitral to Director, Education Officer Upper Chitral indicates that Didar Ali was arrested on charges of harassment.
- ii) Inquiry report by DEO (M) Dir Upper concludes that Mr. Ali was under arrest in connection with the said complaint of Ms. Bibi Khan to the court can decide better.


6.5.9


Findings

So far as the charge regarding molestation of Mst. Tahira Bibi Khan, by the accused Mr. Didar Ali, the then Sweeper GHS Harchin is under trial in the court of law in Chitral and the court is competent to decide beyond the scope of this inquiry.

So far as his conduct with regard to performing official duty and compromising his official status is concerned, on the basis of statements of concerned employees recorded during the proceedings, explanation of Headmaster from the accused Mr. Didar Ali and previous inquiries, it transpires that he is habitual absentee, does not take interest in duty and shirks duty and to the extent of performing the official duty, is unsatisfactory.

  
 (Said Rehman)  
 Principal GHS-No.2 Barchela  
 Malakand

  
 (Muhammad Masud)  
 Additional Secretary  
 Forestry, Environment &  
 Department

Attested  


## Inquiry Report

Subject: **DISCIPLINARY PROCEEDINGS AGAINST MR. ALL DINA SHAH HEADMASTER (BS-17) GHS HARCHIN CHITRAL AND OTHERS**

### Order of Inquiry:

The Inquiry was assigned to us vide Elementary & Secondary Education Department (E&SED), Khyber Pakhtunkhwa Notification No. SO(SM)E&SED/4- 33/2016/Mr. Ali Dina Shah & others District Chitral, dated 17th March 2017 (Annex-1) to probe into charge sheet/statement of allegations Annex-II, III & IV against the three accused namely Mr. Ali Dina Headmaster, Mr. Suhar Wardi SST (General) and Mr. Didar Ali Sweeper-all posted at GHS Harchin, Chitral at the time of complaint of alleged/attempted molestation.

### Background of the case

2. According to report of District Education Officer (DEO) (male) Chitral, report of Headmaster GHS Harchin Chitral, documents received from E&SED as well as information obtained during the proceedings the alleged unfortunate incidence of attempted molestation happened on 03-12-2015 when a female student namely Tahira Bibi D/O Shaheer Khan was on her way to Mayo College, Harchin when she was suddenly intercepted by Mr. Didar Ali Son of Halawati sweeper GHS Harchin with the evil intention of molestation. However, appearance of a person from other direction ended the episode and Ms. Tahira Bibi daughter of Shaheer Khan went to GHS Harchin where Didar Ali Son of Halawati was serving as a sweeper and complained to the headmaster of GHS Harchin Mr. Syed Ali Dina Shah and demanded action against the sweeper. Reportedly the Head Master Mr. Ali Dina and Mr. Suhar Wardi SST (G) respectively advised and instigated Ms. Tahira Bibi to lodge report with the police with the promise to extend all out support in the court of law. So, Tahira Bibi lodged complaint with police and the accused Mr. Didar Ali was arrested. Besides, Tahira Bibi D/O Shaheer Khan also submitted written complaint to the DEO(M) Chitral for action against Didar All Son of Halawati sweeper GHS Harchin. The DEO (M) Chitral

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transferred the accused Didar Ali Son of Halawati sweeper CHS Marchin to another school away from Herchin. However, dissatisfied with the action taken against the accused, Ms. Tahira Bibi D/O Shaheer Khan came to GHS Harchin on 05.08.2016 with the protest that justice had not been done to her and asked Headmaster to terminate Didar Ali sweeper GHS Harchin. She reportedly reminded the Headmaster and Mr. Suhar Wardi of their promise of support and ried that she was left out in cold in litigation and they did not even go for statement as witness. Reportedly Tahira Bibi stayed back in GHS Harchin till the closing time where she reportedly committed suicide by eating poison.

3. After the reported incidence of suicide, DEO (Male) Chitral constituted an inquiry committee comprising of Mr. Ahmad Ghazi Head Master GHS Sonoghore and Syed Alim Shah I/C Head Master GHS Mastuj to probe into the matter and submit a detail inquiry report along with suggestions. The committee conducted the inquiry and submitted report which declared the Head Master Mr. Ali Dina Shah as irresponsible person for not handling the situation properly and proposed him to be put on the disposal of Directorate. The inquiry report also held Suhar Wardi responsible of instigating Ms. Tahira Bibi D/O Shaheer Khan; however, nothing has been suggested against him in the inquiry report.

4. E&SED Khyber Pakhtunkhwa nominated DEO (M) Upper Dir as Inquiry Officer who also probed the unfortunate incident and submitted the findings (Annex-V), a gist of which is as follows:

- a) According to the police station record the police got information about the death of Ms. Tahira Bibi D/O Shaheer Khan and on reaching the incident place the mother of Ms. Tahira Bibi came and reported to the police that a criminal case was pending in the court of law due to complaint of her daughter against Mr. Didar Ali Son of Halwati sweeper GHS Harchin. Because of that case her daughter i.e. Ms. Tahira Bibi D/O Shaheer Khan was in intense grief which caused her to take poison and commit suicide. She held Mr. Didar Ali Son of Halawati sweeper GHS Harchin responsible for the death of her daughter.
- b) According to the reply/ statement of the Head Master, on 03.12.2015 Ms. Tahira Bibi complained against the Sweeper GHS Harchin, Mr. Didar Ali Son of

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*Signature*

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- c) The factual position is that Ms. Tahira Bibi D/O Shaheer Khan has caused her death by eating poison. She has done this in the school on the date on which the head master was present in the school.
- d) The Head Master has shown negligence on his part while not taking the case seriously. Though alleged molestation attempt happened outside his school, being a human being, he cannot absolve himself of the onus to take Mst. Tahira Bibi to home on the day before the suicide. Circumstantial evidences show that Mr. Suhar Wardi SST (G) might have instigated Ms. Tahira Bibi for loding EIR. As far as the accused Chowkidar is concerned, he is under arrest and the court can decide better. Both M/S Ali Dina Shah, Head Master and Suhar Wardi SST (G) GHS Harchin Chitral may be proceeded under E&D Rules 201 for the charges of inefficiency.

#### Methodology

5. In follow up to the Notification and communication of Charge Sheets and Statement of Allegations to all the accused by the E&SED, the charge sheet and statement of allegation were again sent to all the accused with the direction to ensure timely reply to the charges within stipulated time. Mr. All Dina and Mr. Suhar Wardi submitted their written replies whereas Mr. Didar All did not submit any written reply. All the accused, DEO Male Chitral, Departmental representative and relevant employees of GHS Harchin were called and their statements recorded. Questions were asked and answers obtained from the parties. All the relevant record obtained from E&SED and DEO Chitral and defense offered by the accused was perused. Hearing was

Attested  
D. J. Prasad

held thrice, in the presence of both the accused and the departmental representative. In order to provide fair chance of defense to the parties and maintain impartiality, the accused and the departmental representative were allowed to cross question each other regarding veracity of written record as well as statements submitted or recorded during the proceedings.

6. Details of proceedings of the inquiry held/recorded and conclusions drawn unanimously by us are as follows:

6.1. Inquiry in respect of Mr. Ali Dina

6.1.1 Following are the allegation against the accused Mr. Ali Dina, Headmaster GHS Harchin Chitral.

"On 05-08-2016 Mst. Tahira Bibi D/O Shaheer Khan protested before you in your office for no action against Didar Ali, Sweeper of your school, who had sexually harassed her and she took poison and died in your office after the school had gone off but you failed to handle the situation"

6.1.2 Written statement of accused Mr. Ali Dina is placed at Annex-VI through which he has tried to prove himself innocent stating that the complainant was neither a student nor staffer of his school; the alleged attempt on her honor did not take place in the school, alleged attempt of the accused Didar Ali was his private action. After the occurrence he tried to console the complainant Ms Tahira Bibi D/O Shaheer Khan and on the day of suicide too, he tried his best to send the girl back peacefully. Copy of the attendance register provided by the Headmaster (Annex-VII) indicates that Mr. Didar Ali was absent on the day of attempted molestation i.e. 03-12-2015. Immediately on receipt of complaint he took actions like informing DEO (Male) Chitral and calling meeting of PTC which resulted in transfer of the accused Didar Ali Sweeper to DEO office.


6.1.3 View point of other teachers: Mr. Hidayatullah Senior A.T GHS Harchin states that Mr. Didar Ali was absent on 3-12-2015; around 9.00 O'clock the complainant Ms Tahir Bibi came and complained against Mr. Didar Ali whereupon she was advised by the Headmaster to consult her parents and senior relatives to resolve the matter. She however, proceeded to police post and Mr. Didar Ali was arrested at about 1200 noon outside the school vicinity. The Headmaster called PTC meeting on

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12th December 2015, and in follow up to meeting resolution, called explanation from Mr. Didar Ali for being absent from the school on 3/12 2015. According to Mr. Sher Fraz, SST GHS Harchin, the complainant Tahira D/O Shaheer Khan was present in the school on 5-08-2016 11:30 am and Headmaster and Mr. Suhar Wardi had left the school. The complainant informed that she had eaten poison to protest against non-provision of justice; when she was feeling ill, he along with few other resident teachers went to fetch doctor. The doctor came and started treatment while he along with other teachers went to bring police. On return they found her dead though doctors tried to save her life. An almost similar statement has been given by Mr. Riffatuddin SST. GHS Harchin

- 6.1.4 Statement of Mr. Lal Khan, Laboratory Attendant GHS Harchin: He stated that on both the occasions i.e. on 3-12-2015 and, on 05-08-2016, both Mr. Ali Dina Headmaster and Mr. Suhar Wardi SST were present in the school when the deceased Ms. Tahira Bibi visited the school; firstly, for complaining against Didar Ali and secondly for lodging protest for non-provision of justice to her. On 05-08-2016 they left the school at least 10- 15 minutes before prescribed closing hours i.e. in the middle of crisis when the deceased was protesting for non-provision of justice.
- 6.1.5 Statement of Qayyum Shah S/O Jehan Shah, brother-in-law of the deceased Tahira Bibi D/O Shaheer Khan. He informed that the accused Didar Ali did attack the girl with evil intentions but could not succeed because of appearance of a person from other direction. He further informed that the three accused namely Ali Dina Shah, Mr. Suhar Wardi and Mr. Didar Ali are relatives and rivals to each other because all three have claims on the land on which the school was built, so they wanted to use the incident against each other. That is why efforts for compromise between the father of the accused Didar Ali and the deceased Tahira's mother were sabotaged by them. If they were true helpers, they would have suggested to the deceased to lodge complaint with her college administration rather than with Police. He held both Ali Dina the headmaster and Mr. Suhar Wardi the SST responsible for mishandling the situation. According to him, families of all the parties (the three accused persons and that of the deceased) belong to same sect and school of thought and have distant kinship as well.

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Conclusions drawn in other inquiries already conducted in the matter: (excerpts from Inquiry report of DEO Male Upper Dir Annex-V and report of DEO Male Chitral.....Annex- VIII)

- i) Inquiry committee comprising of Mr. Ahmad-Ghazi HM GHS Sonoghore and Syed Alim Shah I/C HIM GHS Mastuj concluded that Headmaster Mr. Syed Ali Dina is an irresponsible person for he failed in handling the situation properly and recommended him to be put on disposal of Directorate.
- ii) Inquiry report conducted by DEO (Male) Dir Upper concluded that Headmaster has shown negligence on his part while taking the case not serious. If he is true to the extent that the molestation act was outside the school, then being a human being, he cannot absolve himself of the onus to take Ms. Tahira Bibi to home on the day before the suicide.
- iii) Report submitted by DEO (Male) Chitral to Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar indicates that gross negligence and carelessness have been committed by the Headmaster by letting the girl alone in the premises and mishandling the situation. He has shown grave incompetence and irresponsibility to let the incident happen.

## 6.2 Finding

Perusal of record, previous inquiries and the statements recorded during the proceedings indicate that the Headmaster turned a blind eye to the gravity of the matter right from the day of first complaint to him till the occurrence of the suicide. Even on the day of sad occurrence of suicide, the headmaster left the school in the middle of crisis before closing hours. We are therefore, of the opinion that the Headmaster is guilty of negligence of his duty because of adopting non serious attitude towards his administrative and managerial duties and lack of efficiency and leadership which led to his failure to handle the situation effectively.


## 6.3 Inquiry in respect of Mr. Suhar Wardi

6.3.1 Following are the allegation against the accused Mr. Suhar Wardi, SST (General) GHS Harchin Chitral.

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"You misled Mst. Tahira Bibi D/O Shaheer Khan who had been sexually harassment by Didar Ali, Sweeper of GHS Harchin and she took poison as a protest in school and died"

- 6.3.2 Written statement of Mr. Suhar Wardi is placed at Annex-IX. He is of the view that on 3rd December 2015 he was serving in GHS Harchin as Senior CT-, BPS-16 when Mr. Didar Ali Sweeper of the school was charged under criminal allegations with respect to cheating with Mst Tahira in his personal capacity. The occurrence reported to be happened out of school; neither the occurrence nor the complainant had any relation with him or the school. When she complained against the accused Didar Ali, the Headmaster took action reported to the DEO and local police also booked the accused Didar Ali under Section 506/354 PPC at Police Station Mastuj, Chitral. He further stated that 1.0 of the case put his name in the witness list only to testify the complaint which he did as his personal responsibility. The accused remained behind the bars for about fifteen days and on release, transferred from GHS Harchin. On 05-08-2016 the day of suicide, Ms Tahira Bibi suddenly came and demanded termination of Didar Ali Sweeper. The Headmaster and other teachers tried their best to pacify the complainant about the departmental and judicial proceedings against the accused Didar Ali, so she left satisfied. It was Friday so after closing hours all local teachers, (including Suhar Wardi local teacher) and formal students left and Informal students of Allama Iqbal Open University started arriving for workshop. Therefore, he knows nothing about return of complainant to school in their absence, in poisoned condition and subsequent suicide. Therefore, he did not mislead the complainant.
- 6.3.3 View point of other teachers: statements of other teachers noted at 6.1.3 above indicate that Mr. Suhar Wardi was present in the school on both occasions i.e. on the day of first complaint on 3rd December, 2015 and on the day of suicide on 05-08-2016. Moreover, on 05-08-2016 he left the school almost 10-15 minutes before closing hours.
- 6.3.4 View point of Mr. Lal Khan, Laboratory Attendant GHS Harchin: He stated that on 05-08-2016, both Mr. Ali Dina Headmaster and Mr. Suhar Wardi were present in the school. They had left school at least 10-15 minutes before prescribed closing hours. Mr. Lal Khan did not give any clue as to instigation of the complainant by Mr Sular Wardi.
- 6.3.5 View point of previous inquiries about the accused:

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- i) Inquiry committee comprising of Ahmad Ghazi Headmaster GHS Sonoghur and Syed Alim Shah I/C Headmaster GHS Mastuj held Suhar Wardi responsible to the extent of catalyzing the situation by instigating the complainant Ms Tahira Bibi D/O Shaheer Khan; by then he has been transferred to Sorlaspur; the inquiry suggested nothing more against him.
- ii) Inquiry report conducted by DEO (Male) Dir Upper, concluded that circumstantial evidence show that he might have instigated the complainant Ms Tahira Bibi.
- iii) Report submitted by DEO (Male) Chitral to Director E&SE Khyber Pakhtunkhwa indicates that Mr. Suhar Wardi was transferred to GIIS Arkari to neutralize situation arising as a result of public resentment who demanded immediate transfer of Mr. Ali Dina and Mr. Sular Wardi (as reported by SHO Mastuj).

#### 6.4 Findings

The conclusion drawn by previous two inquiries noted above states that circumstantial evidence might suggest that he instigated the girl to lodge FIR with police because his name has been associated with the story from the very first complaint of molestation by Ms Tahira against Didar Ali, he figures in the list of witness in the court of law and subsequently under mounting pressure of public resentment he was also transferred from GHS Harchin to pacify the people of the area. So he appears to have a finger in the pie. Therefore, we agree with the conclusion drawn by the previous two inquiries that circumstantial evidences suggest that he might have instigated the deceased Tahira Bibi to lodge complaint with the police.

#### 6.5 Inquiry in respect of Mr. Didar Ali Sweeper

##### 6.5.1 Following are the allegations against the accused Mr. Didar Ali, Sweeper GHS Harchin Chitral:

"You sexually harassed Mst. Tahira Bibi, D/O Shaheer Khan on 03-12-2015 when she was on the way to her college. On 05-08-2016 the affectee came to GHS Harchin to protest for no action against you and took poison and died"

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- 6.5.2 Statement of the accused: The accused Mr. Didar Ali did not submit statement. He told the inquiry committee that he could speak o language. Therefore, services of a Chitrali resident government st utilized for investigation from the accused and recording his stater hearing Mr. Didar Ali told that he knew the deceased Ms Tahira Bibi present in the school on the day of occurrence of attempted act of He stated that he spent the preceding night at school and after survive to resident teachers, left the school in the morning. He did not meet the way nor knew anything about the happening; however, towards was summoned by police of nearby police post. He went to the police the impression of being summoned for some errands-a routine may as he visited the post quite often in his private capacity. It however on him after reaching the police post that he was summoned in common complaint of Ms Tahira Bibi. He was then taken into custody and keep Police Station. Court trial started and he remained behind bars fifteen days whereafter he was released on bail. He told that he had Suhar Wardi. It could be gathered from his,talks that the three accident settle personal scores among themselves by playing the incident other.
- 6.5.3 Statement of Qayyum Shah, brother-in-law of the deceased Ms Taj  
Statement has already been reflected, as noted above at para-6.1.5
- 6.5.4 View point of co-accused Mr. Syed Ali Dian: He was of the opined accused Didar Ali is not a good government servant, he absents hill on. The headmaster also provided copy of the attendance register indicates that Mr. Didar Ali was absent on the day of attempted mi 3rd December 2015 till the end of the month i.e. 31<sup>st</sup> December, 201
- 6.5.5 View point of co-accused Mr. Suhar Wardi: He was of the opined accused; Mr. Didar Ali Sweeper was an addicted man of bad character.
- 6.5.6 View point of Mr. Qari Usman. TT GHS Harchin: He opined that the Didar Ali was an average performer of official duty.
- 6.5.7 View point of Mr.Lal Khan. Laboratory Attendant GHS Harchin; His opinion that the accused Mr. Didar Ali, the then Sweeper frequently deserted his duty; did not take least interest in official headmaster could never take appropriate action against him.

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Qari Usman

6.5.8 View point of previous inquiries

- i) Report submitted by DEO (Male) Chitral to Director E&SED indicates that Didar Ali was arrested on charges of harassment.
- ii) Inquiry report by DEO (M) Dir Upper concludes that Mr. Didar Ali under arrest in connection with the said complaint of Ms. Tahira the court can decide better

6.5.9

Findings

So far as the charge regarding molestation of Ms. Tahira Bibi, D/O Shaheer Khan by the accused Mr. Didar Ali, the then Sweeper GHS Harchin is co under trial in the court of law in Chitral and the court is competent to de beyond the scope of this inquiry. So far as his conduct with regard to performing official duty and compromising his official status is concerned, on the basis of state: concerned employees recorded during the proceedings, explanation Headmaster from the accused Mr. Didar All and previous inquiries, it trans: habitual absentee, does not take interest in duty and shirks duty and he the extent of performing the official duty, is unsatisfactory.

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(Said Rehman)  
Principal GHS No. 2 Batkhela  
Malakand

(Muhammad Masooq)  
Additional Secretary  
Forestry, Environmental Developmer.

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**THE ENQUIRY COMMITTEE CONSTITUTED VIDE NOTIFICATION NO. 50(SM)E&SED/4.33/2016/MR. SUHAR WARDY & OTHERS DISTRICT CHITRAL, DATED MARCH 17, 2017.**

**WRITTEN DEFENSE TO CHARGE SHEET BY MR. SUHAR WARDY, SBT GENERAL (BPS-16) GHS SONE LASPUR DISTRICT CHITRAL.**

Statement of allegations;

"You misled. Met Tahira Bibi D/O Shaper Khan who had been sexually harassed by Didar Ali, Sweeper of GHS Harchin and she took poison as a protest in your School and died."

Respected Sir;

In compliance of the subject Charge Sheet the following submissions are made with effect to deny the allegation leveled against me.

1. That on 03 December 2015 when I was posted as Senior - CT, BPS-10) at Government High School Harchin Chitral, Sweeper of that School namely Didar Ali (BPS-02) was under criminal allegations with respect to cheating with one complainant namely Tahira Bibi D/O Shaper Khan in his personal/private capacity. It is pertinent to mention here that the said Tahira Bibi was neither student nor staff of GHS Harchin nor the occurrence reported to take place in premises or nearby area of the School neither she was known or related to me in any manner.
2. That beside administrative and departmental proceeding by the then acting in charge of the School namely Syed Ali Dina, the Local Police also took cognizance of the matter through case F.I.R No. 145 dated 3.12.2015, Charged Under Section 806/304 PPC at Police Station Mastuj Chitral, therefore the I.O of the case has put my name in the calendar of witnesses as Prosecution Witness only to testify the complaint against accused Didar Ali, which I have already testified at witness box of the court as my personal responsibility (list of witness annexed). Except that I do not know about the complaint whether it was fabricated or true neither know about the accused whether innocent or guilty nor both were my concern.
3. That the accused was in judicial lock up and soon after his release, he was transferred from GHS-Harchin and the trial was under adjudication before the court and in the meanwhile I have never seen the complainant or the accused nor has he turned back to the School.
4. That suddenly on 08-08-2016 the said complainant once again came to the School and demanded to terminate the accused Sweeper from service. The head master as well as other teachers of the School jointly tried their level best to satisfy her about the departmental and criminal proceedings against the accused. The head Master also made a call to EDO-Office and one responsible officer of the office

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the advice and assurance by the Head Master, other teachers and to talk with the Officer in phone she left the school with satisfaction.

5. That it was Friday, our school got close and the informal students of Workshop by Allama Iqbal Open University from different villages started arriving and except bordered we all local teachers left to our homes accordingly.
6. That the return of complainant back to the School after School timing in our absence in poisoned condition and to act suicide; is an accident which was totally beyond my knowledge, capacity and concern to save her life. When I got information at my home I along with others approached the medical persons of the village to save her life but it was also beyond their control. The accused Didar Ali has been charged in criminal case with effect to cause death of the deceased in Case F.I.R No.135 dated 05-08-2016, U/S 322 PPC.  
(Copy annexed)
7. That in the above scenario It is clearly stated that, I have Not misled any one to be harassed by someone, to take poison and to die neither I know about such allegation being alleged by any concern of the deceased or my competent departmental and administrative authorities in any shape, therefore, I, totally deny statement of allegation in the subject charge sheet.

It is, therefore, most humbly requested that on acceptance of the instant defense reply the subject allegation in charge sheet may kindly be withdrawn and I may kindly be exonerated from all allegations leveled against me.

**Mr, Suhar Wardy**  
**SST(General BPS-16)**  
**GHSS Harchin District Chitral**  
**Cell No. 0345504484**

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THE ENQUIRY COMMITTEE CONSTITUTED VIDE NOTIFICATION NO. SO(SM)E&SED/4-33/2016/MR. SYED ALI DINA & OTHERS DISTRICT CHITRAL DATED MARCH 17, 2017.

WRITTEN DEFENSE TO CHARGE SHEET BY SYED ALI DINA HEAD MASTER (BPS-17) GHSS HARCHIN DISTRICT CHITRAL.

Stated of allegations;

"On 05-08-2016 Mst. Tahira Bibi D/o Shaheer Khan protested before him in his office for no action against Didar Ali, Sweeper of his School, who had sexually harassed her and she took poison and died in his office after the school had gone off but he failed to handle the situation."

Respected Sir;

In compliance of the subject notice the following submissions are made with effect to deny the allegation leveled against me.

1. That on 03 December 2015 when I was acting as In charge (SET-BS 16) at Government High School Harchin Chitral; a verbal complaint was made against Sweeper namely Didar Ali (BPS-09); to have criminal allegations with respect to cheating the complainant namely Tahira Bibi D/O Shaheer Khan in his personal/private capacity. It is pertinent to mention here that the complainant was neither student or staff of GHS Harchin nor the occurrence reported to take place in premises or nearby area of the School.
2. That on first instance of complaint I thoroughly took notice the matter, informed the competent authority/EDO Chitral and through resolution of Parents Teacher Council (PTC) it was recommended to take Disciplinary action against the accused Sweeper including his immediate transfer from the School. Furthermore cognizance of the complaint was also taken by the local Police in case F.I.R No. 145 dated 3.12.2015, Charged Under Section 506/354 PPC at Police Station Mastuj Chitral.  
(Copy annexed)
3. That consequently the accused Sweeper was arrested and prosecuted before court beside to transfer him from GHS-Harchin to EDO Office Chitral by the competent authority/EDO Chitral after his release from jail.

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4. That since date i.e. 3-12-2015 the accused has never turned to the School neither I have any administrative power to exercise upon him.

(Copy of attendance register is annexed)

5. That after about 08 months of the complaint the same complainant once again came to the School on 05-08-2016 with demand to terminate the accused Sweeper from service. That I along with other respectable teachers of the School put my generous possible efforts to satisfy her about the departmental and criminal proceedings against the accused. The demand of the complainant was also intimated to the EDO Office Chitral through phone DDEO namely Ihsana ul Haq also assured her to take strict administrative action against the accused according to the law; hence, She left the school being satisfied.

6. That the return of complainant back to the School after School timing in our absence in poisoned condition and to act suicide; is an accident which was totally beyond my capacity to control the situation or to save her life. When I got information at my home and reached the School she was expired. The available medical persons of the village were already available but to save her life were also beyond their control. The accused Didar Ali has been charged in criminal case with effect to cause death of the deceased in Case F.I.R No. 135 dated 05-08-2016, U/S 322 PPC.

(Copy annexed)

7. That in the above mentioned situation, I have done nothing against the good conduct of Government Service neither acted any misconduct to be subject of any allegation nor have been alleged by any concern in any shape, therefore I totally deny statement of allegations in the subject charge sheet.

It is, therefore, most humbly requested that on acceptance of the instant defense reply the subject allegation in charge sheet as well as order of my suspension dated 31-08-2016 may kindly be withdrawn and I may kindly be exonerated from all charges leveled against me.

Mr. SYED ALI DINA  
Head Master (BPS-17)  
GHSS Harchin District

*Attested*  
*[Signature]*

میں اپنے آپ کو حاضر بنا کر جاننے سے بیان ملنے دیا۔  
۱۵ اگست ۱۹۴۶ء کے روز جو واقعہ ہمارے سوال سے متعلق

آتا تھا۔ واقعہ تو ان میں ہوا۔ اس وقت صبح ۷ بجے تھے  
یہ کہ دوران جو طالب علم کے کچھوں سکول اسی قسم

ان کے گروپوں میں سے ایک گروپ میں گورنر نے انہیں  
لی ہوں گی۔ اس کے لیے ۱۵ بجے باہر چلی۔ یہ تقریباً

۱۵ بجے واپس آئے۔ پھر انہوں نے کہا۔ اس دوران  
استاد سردار علی کی کھڑت سے اندر چلی۔

پھر میں باورچی خانے میں کام کرنے گیا۔ وہ گروپوں کو  
گرنے کے لیے پھر باہر پورٹ میں آئے منہ پر ت گیا۔ تو صحن

میں بند کورہ دیکھی گھڑی تھی۔ میں نے پوچھا کہ اب باہر  
کیوں نہ جاتی تھو؟۔ اس کے جواب میں کہہ دیا کہ

جو باہر تھو طبیعت خراب ہے۔ حیرت میں تھو رہا تھا۔  
کو لیا گیا۔ دیکھا کہ تڑپا کر کے پتہ لگا کر

کے لئے اس کے کمر بھرتے۔ میں پتہ لگا کر  
وہاں یہ واقعہ بیان کرنے والے نے پورا کیا

Attested  
Signature

Main body of handwritten text in Urdu script, appearing to be a letter or a set of instructions.

اللہ و اللہ (God and God)

حضرت مولانا محمد رفیع صاحب مدظلہ العالی  
111-5 مولانا محمد رفیع صاحب مدظلہ العالی

9-8-2016

Attended  
Amak

Syed Ali Dina

1184/18

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**DIRECTORATE ELEMENTARY & SECONDARY EDUCATION  
KHYBER PAKHTUNKHWA, PESHAWAR.**

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**AUTHORITY LETTER**

I, Samina Altaf, Director (E&SE) Khyber Pakhtunkhwa Peshawar do hereby authorized Mr. Muhammad Rizwan, Assistant Director Litigation-II of this Directorate for submission of Inquiry Report and statement in **Service Appeal No. 1184/2018 case titled Syed Ali Dina, Ex- HM District Chitral Vs Government of Khyber Pakhtunkhwa & others** fixed for hearing on 29-02-2024, hence, an authority letter is hereby issued in favor of the above-named officer.

  
(SAMINA ALTAF)  
DIRECTOR

 E&SE Department Khyber  
Pakhtunkhwa, Peshawar.